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C O N F I D E N T I A L SECTION 01 OF 03 ABIDJAN 001316

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KINSHASA PASS TO BRAZZAVILLE

E.O. 12958: DECL: 11/28/2016
TAGS: [PGOV](#) [PREL](#) [SENV](#) [ASEC](#) [IV](#)
SUBJECT: GBAGBO HEADED FOR COLLISION COURSE WITH OPPOSITION
AND INTERNATIONAL COMMUNITY

REF: A. A) ABIDJAN 1004

[1](#)B. B) ABIDJAN 1276

Classified By: POL/ECON Jim Wojtasiewicz, reasons 1.4 (B) and (D).

[1](#)1. (C) Summary: President Gbagbo unexpectedly reinstated three senior officials who were implicated in the toxic waste disaster but are stalwarts in Gbagbo's FPI (Ivoirian Popular Front) party. He also sacked the director general of the state-owned newspaper, *Fraternite Matin*, for carrying a report that Gbagbo had agreed with Prime Minister Banny that UN Security Council Resolution 1721 is the only way out of the crisis, and he dissolved inter-ministerial councils overseeing the management of both *Fraternite Matin* and the Port of Abidjan. The President's actions came on the heels of the November 22 publication of a report that was strongly critical of these three officials for their incompetence and negligence in the toxic waste affair. Prime Minister Banny responded by issuing a communique condemning Gbagbo's actions as counter to the principles of good governance and press freedom, and strongly urging that their implementation be deferred. All of the major opposition parties also strongly condemned Gbagbo's reinstatement of his cronies on the heels of the publication of the report. Gbagbo counter-moved by sacking the director of state television, for broadcasting what Gbagbo's press spokesman called a "seditious" communique from the Prime Minister.

[1](#)2. (C) This is a serious political confrontation. Reinstating the senior officials, replacing the editor of *Fraternite Matin*, and dissolving the inter-ministerial oversight bodies are provocative acts but they fall within Gbagbo's broad executive powers under the constitution. Nevertheless, Banny is right that these actions fly in the face of good governance and press freedom, as well as the spirit of peace and reconciliation and the will of the international community. Gbagbo stepped over the line when he sacked the RTI director, which is a direct violation of the Pretoria Agreement. Rumors are now flying in Abidjan that Gbagbo plans to form a new government composed entirely of members of the FPI and its satellites. If he takes this next step, he will break the political process completely by setting the opposition outside it, bring the peace process to a halt, defy UNSCR 1721, and thereby set himself on a collision course with the opposition and the international community. End Summary.

[1](#)3. (SBU) In a series of Sunday afternoon moves that took Abidjan by surprise, on November 26 President Gbagbo forcefully asserted his authority by issuing six decrees, reinstating three close allies who had been suspended from their duties by Prime Minister Banny for their implication in the notorious toxic waste scandal, and deposing a Banny ally as director general of state-owned newspaper *Fraternite*

Matin. Gbagbo also dissolved the inter-ministerial Administrative Council of the Port of Adidjan and the inter-ministerial Commission of Fraternite Matin. The President's actions followed the November 23 publication of a hard-hitting report by a judicial committee of investigation appointed by Banny that was unsparing in its criticism of the three senior officials' laxity and incompetence in the toxic waste episode.

13. (C) The November 22 report by the National Commission of Inquiry on Toxic Waste, headed up by jurist Madame Fatou Diakite spread blame for the tragedy widely and named names explicitly. It accused the ex-Minister of Transport, Anaky Kobena -- currently leader of the opposition party MFA (Movement of Future Forces) part, but embroiled in a nasty intra-party power struggle -- of gross negligence. Kobena was jettisoned in the Prime Minister's September cabinet shuffle, while three other senior officials implicated in the scandal, all FPI stalwarts, had been suspended from their duties on orders of the Prime Minister since September 16. The report criticized Director General of Abidjan Port Marcel Gossio (a particularly close Gbagbo crony, financier of Gbagbo's presidential campaign and reputed chief financier for a range of FPI-connected activities including the pro-Gbagbo militias) for his marked lack of interest in the matter, even after the scandal began to unfold. Regarding Customs Director General Gnamien Konan, the report cites his lack of understanding of his job as well as weak leadership of his organization. In castigating Djedji Amondji, Governor of the Abidjan District, the report pointed to his failure to respond to the crisis, when he did not close the Akouedo garbage facility (where the worst of the dumping occurred) until weeks after the initial discoveries, allowing many more people to be affected, and he did not offer any assistance to affected populations despite the gravity of the situation.

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14. (SBU) In effect defying the damning report, President Gbagbo issued decrees limiting the suspension of the three senior officials to three months, which will allow them to resume their positions on December 16. In addition, the President abolished the Port's Board of Directors; the failure of Gossio and others to properly convene this inter-ministerial Council in the toxic waste scandal was a key finding of the report. The President's decrees were perhaps presaged by a four-hour demonstration by port workers and Young Patriots at the Port of Abidjan on November 20 demanding the reinstatement of Gossio. Protesters insisted that Gossio's suspension is simply an offensive launched by the opposition PDCI (Democratic Party of Cote d'Ivoire) to control the Port of Abidjan. The Chairman of the Board for the Port of Abidjan, Ange Barry Batteisti, and the Minister of Infrastructure, Patrick Achi, are both PDCI members. The protest caused the closure of offices and the halt of port operations, and resulted in one policeman being hurt and ten arrests, although all were later released.

15. (SBU) In justifying his moves, Gbagbo's spokesman acknowledged the gravity of the charges against the senior officials implicated in the toxic waste scandal, but waved them off by simply saying their failings in the matter were 'personal' and by going on to promise a vigorous investigation into the criminal responsibility of those responsible for the deaths of several and sickening of perhaps thousands.

16. (SBU) Simultaneously, President Gbagbo sacked the newly-installed Director General of state-owned daily Fraternite Matin (ref B), Leon Lebry, and installed an interim DG in his place. The President's spokesman cited a November 23rd front-page article, which reported that Gbagbo had agreed with Banny that UNSCR 1721 is the only way out of the crisis, as reason to dismiss Lebry. Tagro noted that the President would "never agree to such a breach of Cote d'Ivoire's sovereignty," and that such a "gross example of

the publication of false, manipulative assertions" could not be tolerated. Similarly to his move related to the Ports Administration Council, Gbagbo abolished the inter-ministerial Commission charged with overseeing the management of the most widely read, and respected, newspaper in Cote d'Ivoire.

17. (C) In a first, Prime Minister Banny went public to explain his disagreement with Gbagbo's actions. On the evening of November 27, the Secretary General of the Prime Minister's office appeared on TV to read a communique expressing Banny's surprise and dismay at Gbagbo's decrees, and urging that their implementation be postponed. Banny argued that Gbagbo should not have acted without consultation with the prime minister and the government, and that his actions ran counter to the principles of good governance and freedom of the press. Banny lamented in particular that Gbagbo reinstated the three senior officials just as the government was considering what further actions to take in response to the report on the toxic waste disaster.

18. (C) President Gbagbo wasted little time responding to Banny. On the evening of November 27, gendarmes entered the premises of Ivoirian radio and Television (RTI), reportedly to confiscate the tape of the Prime Minister's communique so it could not be rebroadcast. (The full text of the communique was eventually carried in the following morning morning's edition of several newspapers.) The gendarmes left the premises after several hours, and it was not clear whether they had taken the tape with them. However, at 1:00 p.m. in the afternoon of November 28, President Gbagbo's spokesman Desire Tagro appeared on TV to read a presidential communique announcing the dismissal of the director of state television and the TV board of directors, and the appointment of a Gbagbo ally to replace him. Tagro said the director had been fired for allowing a "seditious" communique to be broadcast.

18. (C) Banny was not alone in condemning Gbagbo's decrees. All of the major opposition parties expressed outrage at the reinstatement of these three senior officials who had been found to be culpable in the toxic waste disaster. Rebel FN (New Forces) leader Guillaume Soro called Gbagbo's actions "unacceptable" and a spokesman for the RDR (Rally for Republicans) called for Gbagbo's dismissal. Needless to say, Gbagbo's FPI reacted with jubilation.

19. (C) Comment: (C) Gbagbo clearly is pushing for a confrontation. Reinstating the three senior officials, replacing the editor of Fraternite Matin, and dissolving the

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inter-ministerial commissions overseeing Fraternite Matin and the Port were provocative acts but they fall within the broad executive powers granted to Gbagbo under the constitution. Thus, these actions cannot be called illegal, though Banny is right that they fly in the face not only of good governance and freedom of the press, but the spirit of peace and reconciliation embodied in the many peace agreements that all of the Ivoirian parties have signed, including the FPI. However, Gbagbo stepped over the line when he sacked the director of RTI, which was a direct violation of the Pretoria Agreement. Rumors are now flying in Abidjan that Gbagbo plans to form a new government composed entirely of members of the FPI and its satellites. If he takes this next step, he will break the political process by setting the opposition completely outside of it, bring the peace process to a halt, defy UNSCR 1721, and thereby set himself on a collision course with the opposition and the international community. Gbagbo can issue a decree forming a new government, but he will find it impossible to govern that way. End Comment.
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